

## CABINET FOR HEALTH AND FAMILY SERVICES

Department for Public Health

Division of Adult and Child Health Improvement

**911 KAR 2:140. Kentucky Early Intervention Program primary service coordination and assistive technology.**

RELATES TO: 20 U.S.C. 1471-1485

STATUTORY AUTHORITY: KRS 194A.050, 200.650-676, EO 2004-726

NECESSITY, FUNCTION, AND CONFORMITY: EO 2004-726, effective July 9, 2004, reorganized the Cabinet for Health and Family Services and placed the Department for Public Health under the Cabinet for Health and Family Services. KRS 200.660 requires the cabinet to administer all funds appropriated to implement provisions, to enter into contracts with service providers, and to promulgate administrative regulations. This administrative regulation sets forth the provisions of Primary Service coordination as it relates to First Steps, Kentucky's Early Intervention Program.

**Section 1. Primary Service Coordination.**

- (1) The primary service coordinator shall coordinate and assist in child find efforts with the local POE through dissemination of materials.
- (2) The primary service coordinator shall make referrals to the POE within forty-eight (48) hours upon identification of a child that may be eligible for First Steps services. Referral shall be made after discussing the benefits of early intervention with the family and acquiring verbal permission to make the referral.
- (3) The primary service coordinator shall obtain prior authorization from the Department for Public Health prior to using any printed materials developed for public awareness activities. If any materials are developed the primary service coordinator shall utilize the Image Consistency Kit developed by the Interagency Coordinating Council Public Awareness Committee for public awareness activities and materials.
- (4) The primary service coordinator shall serve as the single point of contact in helping families obtain the services and assistance they need.
- (5) The primary service coordinator shall have a caseload maximum of forty (40) children, except as provided in this subsection:
  - (a) The primary service coordinator shall have a caseload maximum of fifty (50) children if:
    1. ten (10) children are within ninety (90) days away from their third birthday;
    2. The primary service coordinator is not providing any other First Steps services; or
    3. The primary service coordinator is not carrying a caseload in another program.
  - (b) If he is providing a caseload in another program the primary service coordinator shall have a caseload maximum, up to the prorated equivalency of no more than a combined total of 100 percent of a position's time, with a forty (40) child caseload being 100 percent in First Steps services, and the equivalent to forty (40) in another program. A caseload of ten (10) children in First Steps shall represent twenty-five (25) percent of a position's time, leaving the equivalency of seventy-five (75) percent available in another program.
- (6) The primary service coordinator shall:
  - (a) Attend the First Steps Primary Service Coordination and IFSP training prior to facilitating, coordinating, or implementing any IFSP's, and attend communicating with families training within six (6) months of completing primary service coordination and IFSP training;
  - (b) Attend the initial IFSP meeting, if identified as the primary service coordinator choice or if invited as a potential option for primary service coordinator, and help the POE facilitate that plan;
  - (c) Notify parents, in accordance with the parental prior notice requirements of 34 C.F.R. 303.403, and all the IFSP team members, in writing, of the upcoming annual IFSP or the six (6) month review or the transition conference date and location no less than thirty (30)

calendar days prior to the IFSP, review, or transition conference date;

- (d) Provide parental prior notice in accordance with 34 C.F.R. 303.403 and notice to all the IFSP team members of any IFSP meeting, including the transition conference, requested to address revisions.
- (e) If there is a cancellation, notify the IFSP members in writing of the rescheduling of the IFSP meeting within five (5) working days of the cancelled meeting;
- (f) Facilitate the annual IFSP, six (6) months reviews, and IFSP meetings requested to address revisions and document. This shall include:
  - 1. Convening or consulting team members for involvement in determination of need and rationale;
  - 2. Documenting outcomes that have been achieved, as well as, documenting those that have not been achieved;
  - 3. Assisting families in identifying new outcomes, the service providers, frequency and location of all services;
  - 4. Assuring that outcomes are developed to relate to any changes and that appropriate documentation of the need for the changes occur;
  - 5. Recording the rationale for amendment and child and family outcomes for amendments on the state IFSP form and securing signatures or verified approval from required members in order to verify authorization of the amendment. Amendments to the IFSP shall not be authorized unless the appropriate signatures or verified approval from the required members are documented on the IFSP form;
  - 6. Resolving any conflicts during the IFSP or review by having the team come to consensus on any issue where differences occur;
  - 7. If consensus cannot be reached, informing the IFSP team of the options and bringing resolution; and
  - 8. Submitting a Summary Sheet to Central Billing and Information System (CBIS) within five (5) days of the approval of the revision;
- (g) Refer the family to appropriate agencies for services identified on the IFSP and coordinating those services;
- (h) Send copies of the initial and subsequent IFSP reviews to the other team members within ten (10) working days of the IFSP meeting;
- (i) Send copies of the IFSP to those persons identified by the family as needing copies;
- (j) Notify the CBIS of any changes in the child's or family status and new IFSP services with a summary sheet and update record in the POE within five (5) working days of changes on the IFSP; and
- (k) Facilitate the development of a transition plan.
- (7) The primary service coordinator shall inform and assist the family of their rights and procedural safeguards by:
  - (a) Summarizing the family rights handbook at the initial IFSP and the summary of rights at each subsequent IFSP and at any time the family requests;
  - (b) Familiarizing the family with the procedural safeguards and due process rules, and ensuring that the family reviews and signs the statement of assurances found with the Family Rights Handbook at every IFSP review;
  - (c) Ensuring that all materials are given to the family in a format they can understand in their native language; and
  - (d) Assisting the family, at their request, with resolving conflicts among service providers.
- (8) The primary service coordinator shall assist the family in identifying available service providers by:
  - (a) Keeping current on all available services in the district, including recent rules regarding funding sources;

- (b) Having available to the families a list of all eligible First Steps service providers in each district. If the family chooses a service provider outside the First Steps approved provider list, the primary service coordinator shall inform the family that the provider is not approved through First Steps and may result in a cost to the family;
  - (c) Making the family aware of community activities that would benefit from their participation such as becoming a member of the District Early Intervention Committee; and
  - (d) Assisting the POE in establishing new service providers by consistently educating the public on the benefits of early identification and intervention.
- (9) The primary service coordinator shall ensure that service coordination is available to his families at all times and at the family's request.
- (10) The primary service coordinator shall contact the child's family at a minimum of one (1) time per plan to discuss service coordination needs, unless otherwise stipulated in the IFSP.
- (11) The primary service coordinator shall give the family his address and phone number and any other information needed to contact the primary service coordinator.
- (12) The primary service coordinator shall identify to the family and to the POE a back-up service coordinator for the family to call if the primary service coordinator will be gone over ten (10) consecutive working days by:
- (a) Choosing the back-up service coordinator from the pool of approved primary service coordinators in the district;
  - (b) Sending to the family, in writing, within one (1) month of the initial IFSP meeting, the name of the back-up coordinator, their phone number, address and circumstances under which the family should call the back-up coordinator;
  - (c) Sending a copy of that correspondence to the POE for the records;
  - (d) Identifying the back-up coordinator in the IFSP;
  - (e) Calling the family to institute the back-up if the primary service coordinator will be away more than ten (10) consecutive days, and securing their permission to share information;
  - (f) Notifying the back-up of the scheduled absence;
  - (g) Sharing only pertinent information for current issues with the back-up; and
  - (h) Notifying the family, POE, and CBIS, in writing, of any changes in the back-up with-in five (5) working days of the change.
- (13)(a) If the primary service coordinator can no longer serve in the role of primary service coordinator due to a resignation or unexpected reason, the primary service coordinator shall:
- 1. If there is at least one (1) week's time, notify, in writing, the POE in each district, the family, and service providers and facilitate the identification of a new primary service coordinator; or
  - 2. If there is less than one (1) week's time, contact the POE in his district immediately. The POE shall contact the family to assist them in identifying a new primary service coordinator and facilitate the transfer of records. The new primary service coordinator shall notify the other service providers that he is the new primary service coordinator.
- (b) If a family desires a change in their primary service coordinator, they shall contact the POE and the POE shall seek to resolve the situation.
- (14) The primary service coordinator shall facilitate the development of a transition plan by:
- (a) Knowing the transition procedures as outlined in 911 KAR 2:130, Section 2 (8)(k) and the Kentucky Transition Project publication "Step by Step: A Guide to Transition" and ensuring that all potential agencies and programs that could provide services to a particular child after the age of three (3) are included when introducing the parents to future program possibilities; and
  - (b) Holding a transition conference at least ninety (90) days and up to six (6) months prior to the child's third birthday. The transition conference shall:

1. Involve the family, IFSP team, the Part B local school district representative, and staff from potential next placement options; and
  2. Write a transition plan as a part of the IFSP that includes:
    - a. Description of types of information the family might need in relation to future placements;
    - b. Strategies and activities to be used to help prepare the child for changes in the service delivery;
    - c. Specific steps that will help the child adjust to and function in the new setting;
    - d. How and when assistive technology equipment will be returned and how it will be replaced in the next setting if appropriate; and
    - e. Description of what information will be shared with the new setting, timelines to share the information, and ways to secure the necessary releases to refer and transmit records to the next placement.
- (15) The primary service coordinator shall send to the POE all completed IFSPs, changes, and updates, which include the transition plan, no later than five (5) working days after the meeting has been held.
- (16) If there is no primary service coordinator, or the family refuses service coordination, the POE shall coordinate and facilitate the IFSPs.
- (17) The primary service coordinator shall maintain the child's PSC record to ensure that changes are accurately documented. The minimum record to be maintained by the primary service coordinator shall include:
- (a) Initial referral information;
  - (b) Developmental and social history;
  - (c) All available evaluation reports;
  - (d) All assessment reports;
  - (e) All IFSP's;
  - (f) All primary service coordinator notes;
  - (g) All correspondence to the family and other service providers;
  - (h) The transition plan; and
  - (i) All billing information.
- (18) The primary service coordinator shall ensure that all contacts with the family or other service providers are documented in the child's record. This documentation shall include a note which consists of:
- (a) Child's name, CBIS ID number, and Social Security number;
  - (b) The date of contact;
  - (c) Amount of time spent;
  - (d) Reason for the contact;
  - (e) Type of contact whether by telephone or face to face;
  - (f) Result of contact;
  - (g) Plan for further action; and
  - (h) Signature of person making contact.
- (19) Primary service coordinator notes shall also include all contacts attempted but not made, and the reasons why services were not delivered in a timely manner.
- (20) The primary service coordinator shall encourage the family to access all services identified on the individualized family service plan.
- (21) If the family wants to voluntarily terminate a service or all services, the primary service coordinator shall:
- (a) Document in the record which services are ending and the date of termination; and
  - (b) Send a follow-up letter to the family which includes when and what services are ending, within seven (7) working days after notice from the family of their choice to end services.

- (22) If the family is absent from a service with no prior notice for at least three (3) consecutive visits, the service provider shall notify the primary service coordinator within seven (7) working days after the last absence. The primary service coordinator shall:
  - (a) Document the service provider's contact and try to make contact to discuss the circumstances. The primary service coordinator shall:
    - 1. If contact is made, send a letter within seven (7) working days to the providers with the result of the discussion; or
    - 2. If no contact is made, send the family a letter within seven (7) working days requesting direction as to the choice of the family in continuation of services and stating that the services will be discontinued until a choice is made by the family by contacting the PSC and stating that if no contact is made by the family, services will be terminated fifteen (15) working days from the date of the letter; and
  - (b) Notify the service providers whose services are changing, in writing, if services are terminated and the date of termination.
- (23) The primary service coordinator shall be responsible for securing any release of information necessary to send or secure information from other service providers.
- (24) The primary service coordinator shall close the child's record and send a copy of the primary service coordinator record to the referring POE within:
  - (a) Three (3) months after the child's third birthday, unless they state in writing that the record remain with the primary service coordinator due to continued service coordination services by the primary service coordinator after the child reaches age three (3). A copy of the written request from the family shall be sent to the POE; or
  - (b) One (1) month after the child's family terminates all services and the child is no longer receiving any First Steps services.
- (25) The primary service coordinator shall provide data to the cabinet upon request.
- (26) The primary service coordinator shall agree to have the records maintained by the primary service coordinator monitored by the cabinet or its designee.
- (27) The primary service coordinator shall attend all required training prior to providing services.
- (28) The primary service coordinator shall participate in required quarterly meetings, except if the primary service coordinator is sick or has an excused absence as approved by the technical assistance team program consultant.
- (29) The primary service coordinator shall limit practice in First Steps to service coordination only.

## **Section 2. Assistive Technology.**

- (1) The cost of an assistive technology device shall be reimbursed if the device is approved by the Department for Public Health.
- (2) To be eligible to access assistive technology services and devices, the child shall:
  - (a) Be eligible for First Steps;
  - (b) Have need for assistive technology devices and services documented by appropriate assessment procedures; and
  - (c) Have need for and use of assistive technology devices and services documented in the IFSP.
- (3) The First Steps assistive technology review process shall be utilized for the following:
  - (a) All equipment requests which exceed \$500; and
  - (b) All equipment that is questionable by the initial service coordinator or the primary service coordinator, or cannot be determined by the IFSP team as appropriate.
- (4) All equipment requests requiring review shall:
  - (a) Be sent to the monitoring coordinator with the following information:
    - 1. A current IFSP;
    - 2. Assessments with recommendations;

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3. Justification statement of specific devices based on needs; and
4. Information regarding equipment or device request;
- (b) Be reviewed by the coordinator for completeness and forwarded to a regional monitoring committee; and
- (c) Complete the process within ten (10) working days of receiving all information.
- (5) The decision of the monitoring committee may be appealed to the state First Steps coordinator who shall:
  - (a) Consult with the appeal committee; and
  - (b) Issue the final decision.
- (6) The decision of the First Steps coordinator may be appealed pursuant to 911 KAR 2:170. (23 Ky.R. 3139; Am. 3857; eff. 6-16-97; 25 Ky.R. 667; 1414; eff. 1-19-99; recodified from 908 KAR 2:140, 10-25-2001; 31 Ky.R. 496; 1425; eff. 2-22-05).